

C. G. & N. STILL PENDING BEFORE JUDGE SANBORN

R. H. Schultz Believes Frisco Sale Means Rehabilitation of Houck Line.

WOULD COST \$400,000 TO REVAMP RAILROAD

Court Will Decide What Frisco Must Pay C. G. & N. Bondholders.

That the Cape Girardeau & Northern Railroad will be rehabilitated and made a part of the Frisco system as a direct result of the sale of the latter road, was the opinion expressed yesterday by R. H. Schultz, manager for the receiver of the C. G. & N.

The sale of the Frisco does not mean that the C. G. & N. is automatically sold, Mr. Schultz declared, but it aids in bringing to a focus the final disposition of the Cape County road.

The exact disposition of the Houck line still is unknown and depends almost entirely on another decision by Judge Sanborn of the U. S. District Court in a suit brought by Mr. Houck to determine the amount of the damages due bondholders of the C. G. & N. on a liability which the court held the Frisco had to make good.

All the testimony in this case now pending before Sanborn was introduced at a hearing before a special master during the week of July, 3 to 10, last. The hearing was held in St. Louis before Tom J. Fauntleroy as special master.

The history of the liability of the Frisco for C. G. & N. bonds traces itself through the last four or five years of the road's financial chronicles.

In the latter part of 1912 the officials of the Frisco commissioned the A. R. Byrd & Sons Investment Company, a New York concern, to acquire the Houck railroads in Cape and Perry counties.

J. H. Byrd, president of that investment company, came down to the Cape and let it be known that he was acting for the Frisco in acquiring the Houck lines. He organized the Cape Girardeau & Northern out of the former Houck lines. That deal was consummated February 1, 1913.

The stocks of the Houck lines were taken over and a contract drawn whereby the C. G. & N. would issue \$1,500,000 in bonds which should be guaranteed by the Frisco. The value of the bonds at that time was virtually fixed by the Frisco's guarantee.

Of the bond issue, \$457,000 in the first issue, was to be devoted to making improvements on the road. Of that issue \$150,000 was floated and the money was used in getting the work of repairing the road and getting it into good shape for profitable operation, under way.

Much timber had been purchased, parts of the track had been prepared for ballasting and the work was in full swing when the Frisco was thrown into receivership.

The receivers for the Frisco then repudiated the contract to guarantee the C. G. & N. bonds and declared they would not take over the Houck lines, because the Frisco did not need them.

That action destroyed any value in the C. G. & N. bonds that had been floated and made it impossible for the road to sell any other bonds. The road was forced into a receivership itself by this action, because it could not pay its obligations.

Mr. Houck, who owns 85 per cent of the \$1,500,000 issue of bonds, thereupon filed a suit in the District Court against the Frisco Company seeking to get a decree of the court ordering the company to maintain its contract and guarantee the railroad's bonds.

The case was referred to Mr. Fauntleroy as special master, and at the close of several hearings, Mr. Fauntleroy made a report in which he recommended that the bond contract was a binding obligation. He also recommended a judgment for \$1,500,000 against the Frisco company in favor of the bondholders.

Judge Sanborn in giving his decision in that case, then held that the bond contract of the Frisco company was a valid and binding obligation, but he said that the master had erred in

(Continued on page five.)

STORM DESTROYS BARN; CROPS GET NEEDED SOAKING

Freshet in Byrd Creeks Carries Away Thresher's Separator and Smashes It.

DOWNPOUR LIKENED UNTO CLOUDBURST

Cape Was on Outskirts of Rain That Will Make Corn Crops.

In the severe electrical and rain storm that passed over the northern part of Cape County yesterday afternoon, one barn filled with new-mown hay was destroyed and a threshing outfit's separator was smashed to pieces in a freshet that caught it as it was trying to ford Byrd Creek.

The rain fall was so heavy in parts of that end of the county that many persons believed it was a cloudburst. The streams were swollen out of their banks and considerable crop damage was reported.

News of the accidents in the country was brought to the Cape late yesterday evening. In the Cape, the northern end of the city received the heaviest rainfall. The rainfall was comparatively light in the Cape and in some places the dust that was several inches in depth, was not allayed by the downpour.

Although the storm was severe, it is believed that where the storm hit with the most of its fury, the crops will be better for the water soaking they received.

In many parts of the county corn crops now are at a stage where the ears are in the making. Farmers say it is the crucial period for their grain crop. A rain at this time meant the ears will be well formed and large, whereas the lack of water would mean the corn would be stunted.

Lightning struck the barn of John J. Steeg, three miles south of Ego Mills, about 5 o'clock yesterday afternoon and resulted in the complete destruction of the barn and its contents. Mr. Steeg had just filled his barn with hay, a crop taken from his own land.

Several horses inside the barn were saved by the men, but virtually nothing else was saved from the fire that was started by the bolt of lightning. The barn and its contents are estimated in value at \$1000 and Mr. Steeg had his property partly covered by insurance.

The storm in the immediate vicinity of Ego Mills was severe.

A freshet in Byrd Creek wiped out the separator of James Howard, a thresherman, who was trying to get his outfit across the creek at the bridge on the Oak Ridge road.

Mr. Howard and his men had selected the sandy floor of the creek bottom on which to ford the creek rather than attempt to cross the stream over the iron bridge at that point.

When his engine had virtually crossed the stream, the separator became mired down and he could not move it. While he and his crew tried to extricate the separator from the bed of the creek, the storm arrived.

The men made a last effort to pull the separator out and as the waters of the creek rose rapidly around the machine, Mr. Howard ordered the separator cut loose and he drove the tractor engine out of the danger of water.

The creek banks soon were filled high up and the rushing freshet seized the separator and carried it 300 feet downstream where the flood smashed it completely in two against a side of the stream.

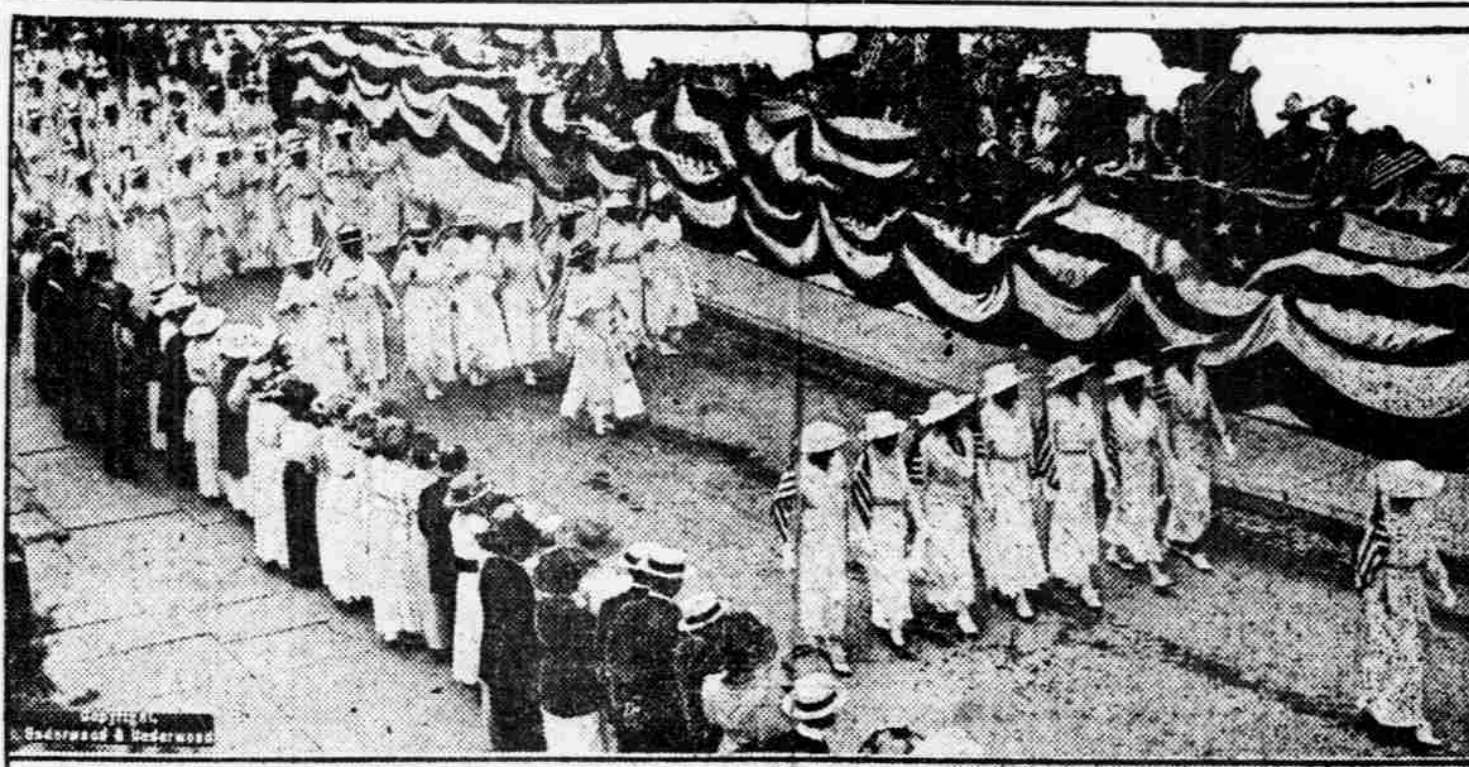
None of the men of the threshing crew was injured as the water carried off the part of the machinery.

At noon yesterday a slight rainfall a mile on the other side of the County Farm between the Cape and Jackson, which is believed to have done much benefit for the crops in that vicinity.

The rain began falling in the Cape about 4:30 o'clock yesterday afternoon and lasted but comparatively a short time. The rainfall and storm north of the Cape was accompanied by a drop of several degrees in temperature.

Frank Kimmel and Dean Kimmel were caught in the storm that swept over the northern part of the county when they went to a farm six miles north of the Cape to buy some stock.

Society Debutantes and Matrons In Parade At Newport, Evidence of Their Patronism.



The society folk summering at Newport had a patriotic parade, the largest division of which was formed of matrons and debutantes all dressed in white.

FRISCO SALE A CUT AND DRIED AFFAIR

Knehan Says Auction Was Run According to Printed Directions.

City Counselor O. A. Knehan early this morning returned from St. Louis where he attended the sale of the Frisco system under foreclosure decree of Judge Sanborn, and pronounced the auction of the road a "cut and dried" affair, carried out as prearranged according to printed "scenarios" furnished by Frisco officials and the reorganization committee.

Mr. Knehan told the story of one of the "scenarios" that he obtained in which every step that transpired during the sale was written out in detail. This was found in the printed form that put the words into the mouth of Trustee Tom Fauntleroy, auctioneer, as well as Basil B. Elmer and William B. Phillips, New York capitalists, who did the bidding.

To conduct the sale required two hours, during which time, the fifty men concerned in the transaction stood beside a sizzling hot roundhouse in the Frisco yards at 3900 Chouteau avenue, St. Louis, and under a sun that was broiling. Locomotives, whose destinies the sale controlled, puffed back and forth, Mr. Knehan said, impressing their audience with the volume of smoke and steam they could belch at the lawyers and capitalists.

The sale started at noon when Mr. Fauntleroy began reading the notice of sale. This alone required more than the first hour. At the close of the recitation of the notice, Mr. Fauntleroy extended Mr. Knehan an opportunity to read Cape Girardeau's notice to the prospective purchasers.

The notice served a warning upon the tentative buyers of the Frisco system that the city of Cape Girardeau will expect a lawful maintenance of the Frisco franchise contract after the reorganization committee takes charge of the line.

Under the terms of the franchise which the city has extended to the Frisco, the railroad is supposed to erect a wall on the riverfront, build a \$35,000 station, maintain certain shops here and maintain a 60-cent coal rate into the Cape from the Marion, Ill., coal field.

A certified copy of this notice was handed to Mr. Fauntleroy by Mr. Knehan after he had read it. This will be included in Mr. Fauntleroy's report of the sale to Judge Sanborn and in that manner it becomes a court record that the city of Cape Girardeau gave notice of the contract with the Frisco, in the event litigation arises over the abrogation of the contract.

R. E. Oliver also was present at the sale and read a similar notice for the Little River Drainage District, insisting upon the drainage district's rights in litigation over the construction of a bridge over one of the diversion channels.

While the sale was being conducted, Mr. Knehan noticed that some of the officials were apparently reading their parts from a printed sheet. The various parts of the Frisco system were described on the sheet and the bids

(Continued on page 5)

KAGE FAVORS SPLASH POOL FOR JUVENILES

Boys and Girls Alike Enjoy Swim in Bottom of War Statue in Park.

After he had witnessed more than a score of boys ranging in age from 8 to 15 years old splash and splatter to their heart's content yesterday afternoon in the bottom of the fountain in the Courthouse Park, Mayor Kage last night declared he will make every effort to have a permanent children's swimming pool made in the city park at Lorimer and William street.

The water running into the fountain was turned on full force and the pool at the bottom was kept almost level full so that it brought the water belt deep on the youngsters.

Their use of the pool convinced many grown-ups who passed by of the urgent need for such a playground for the youngsters. The boys donned overalls and some even had regular swimming suits. They dove from the sides of the fountain and performed many tricks for the benefit of the circle of bystanders who gathered.

Later in the evening when the crowd of boys began to thin out, their places were taken by girls who got an equal measure of enjoyment in splashing and spluttering with their eyes, nose and mouth full of water.

When Mayor Kage told the boys who applied to him for permission to convert the fountain pool into a splashing pool, that they could use it, he enjoined them from throwing the water outside the pool more than they could help and warned them not to abuse their privilege.

Yesterday afternoon, one of the boys who had not been taken into the mayor's confidence, made a misstep and he soon became the center of a half dozen of his companions who posted him on regulations and warned him that an infringement meant that all lost the privilege of the pool.

Mayor Kage last night declared that he had been informed by a St. Louis landscape architect that to build a swimming pool in the city park at Lorimer and William street, would mean an outlay of \$50,000 or \$60,000.

The mayor said he feels confident that something may be arranged at a cost relatively low which will serve the purpose of the Cape Girardeau children as well as a high-priced pool. He declared that he will try to see that the children get what the city can afford.

Permission to swim in the lake at Fairgrounds Park has not been extended by the mayor because of the fact that swimmers would frighten away the city's geese and ducks that make their home on the lake, as well as disturb the fish with which the lake is being stocked. A sewerpipe also empties into the lake which makes it undesirable.

BASEBALL SCORES.

American.
St. Louis 4-9-2; New York 5-8-2.
Chicago 2-6-3; Washington 6-8-2.
Detroit 5-14-4; Boston 9-11-1.
Cleveland 12-12-1; Philadelphia 5-9-4.
National.
Brooklyn 1-10-1; Pittsburgh 2-7-2.
New York 8-11-2; Chicago 6-12-3.
Boston 10-13-0; St. Louis 1-6-1.

ATKINSON SURE TO WIN, SAYS KELSO

Speaker Attacks Other Democratic gubernatorial Candidates Before Small Crowd.

I. R. Kelso, Russell Dearthmont, Prof. W. W. Martin of the Normal School, and Lee Bowman last night addressed a small gathering at the Courthouse in behalf of John M. Atkinson. About fifty people were present.

Mr. Kelso, who is the attorney for electric light interests in St. Louis, is one of Mr. Atkinson's chief campaigners. He said Mr. Atkinson would be nominated by the Democratic party for governor.

Russell Dearthmont, who presided as chairman, held the same view that Mr. Kelso did. Prof. Martin, who was invited to address the meeting, said he was glad Mr. Atkinson had endorsed a new constitution for Missouri.

Lee Bowman, who is going to be drafted by the Democratic party to fill out the vacancy on the county ticket for prosecuting attorney, rebuked The Tribune. He charged this newspaper with attempting to dictate the nominees on both tickets. "The Tribune admits that John Atkinson is one of the leading candidates," shouted Bowman, "and when The Tribune admits that much for one of its enemies, it must be true."

Benson C. Hardesty and Prof. Dearthmont, who occupied seats in the rear of the crowd, furnished the applause. They clapped several times during the meeting.

Mr. Kelso, who was billed as the stellar attraction, spent most of his time attacking other Democratic candidates for governor, but he did not mention their names.

John M. Atkinson will be in Cape Girardeau next Monday evening to speak at the Courthouse, it was announced last night by his supporters. It is expected that he will spend a day in this county.

Atkinson leaders in this city say he will carry Cape Girardeau County over any of his opponents. They say that as the wet and dry issues have been brought into prominence, Atkinson will get a majority of the Democratic votes because they contend that fully sixty-five per cent of the Democratic vote in Cape Girardeau County are dry.

ITALIANS ARREST SWISS AS GERMAN SPIES

Berne, July 19.—A new and serious controversy has arisen between Switzerland and Italy. During the last four weeks the Swiss Government has received appeals for aid from six Swiss citizens who have been arrested in Milan, Genoa, Brescia and other Italian cities as German spies.

The Swiss Minister in Rome was instructed to demand the immediate release of the arrested men, but the Italian Government declined this request with the claim that the alleged spies are disguised Germans and Austro-Hungarian officers.

The Swiss Government has furnished the birth certificates of the six men together with documentary proofs that they have never been naturalized in any foreign country, but the Italian authorities still refuse to release them.

ITALY IS READY TO DECLARE WAR ON THE GERMANS

Amsterdam Hears Declaration will be Issued Within the Next few Days—Message From Official Source.

BOTH SIDES CLAIM GAINS ALONG THE DEADLY FRONTS

German Messag Predicts the Fall of Verdun Within the Next Month, London Hears—Russians Reported Gaining.

Amsterdam, July 19.—A declaration of war by Italy against Germany is expected to be made within the next few days. This announcement was received today from official sources in Italy.

London, July 19.—The Germans opened a great bombardment north of Verdun today. An Amsterdam dispatch says the German authorities predict the fall of Verdun within a month.

London, July 19.—It is understood tonight that the vote of credit which is to be announced next week will be for \$1,500,000,000. About \$11,900,000,000 has already been voted by Great Britain since the war started.

London, July 19.—The Russian tide is rolling slowly on the rear of the Austrian army. Two important passes in the Carpathians were captured by the Russians today, and it is believed that an invasion of Hungary has begun. The Russians have brought up heavy reinforcements of infantry and cavalry.

Vienna, July 19.—In Bukovina the Russians were driven across the Pruth river, losing 300 prisoners, says the official dispatch from the front tonight.

Washington, July 19.—It became known today that President Wilson has made an effort to dissuade England from blacklisting the American firms which are friendly to Germany. England's action will further aggravate the trade controversy, and as a counter movement, many American firms are banding together to decrease England's buying in this country.

El Paso, Tex., July 19.—A dispatch from Chihuahua City says the train that was looted at Casas Grandes, carried supplies for Gen. Trevino's army instead of Gen. Pershing, as was first reported.

A Carranza guard of 100 were routed by the bandits after six of Carranza's men had been slain. Besides a vast quantity of food, a million rounds of ammunition were secured. The bandits removed the spikes from the rails near Palomas. The locomotive and two cars plunged into a gulch, killing the engineer.

El Paso, Tex., July 19.—According to reports from Mexico City, a famine is threatened there. The supply of food has been cut off by the revolutionary forces and the stock on hand is getting alarmingly low.

Berlin, July 19.—Recapture of the village of Longueval and Delville Wood from the British in a violent German counterattack, was announced by the War Office this afternoon.

German naval planes last night bombarded enemy cruisers, torpedo boats, submarines and military establishments at the Russian naval port of Revel, on the Gulf of Finland, it was officially announced this afternoon. The planes were accompanied by a German squadron.

"A number of hits were obtained on enemy warships," said the Admiralty statement. "One submarine was hit four times. Large conflagrations were observed on the dock. All the German aeroplanes returned."

Repeated attacks by Gen. Kuropatkin's Russian army on the front of Field Marshal von Hindenburg, south-west of Riga, broke down with heavy enemy losses, the War Office announced this afternoon.

In Volhynia artillery combats continued in the region west and south-west of the fortress of Lutsk.

The village of Longueval, which was captured by the British at heavy cost of life in a resumption of the great allied offensive, was stormed and retaken by the Germans in heavy fighting last night. With the capture of Delville wood, it marks the greatest success for the Germans in counter attacking the British front since the allied offensive began.

By recapturing Longueval, the Germans not only hold up the British advance toward Bapaume over the highway from Bray, but check any further advance by the French north of the Somme.

British attacks north of Ovillers and south of Pozieres, on the German left wing, were dispersed. French attacks north of Barleux and in the region of Belloy-en-Santerre were checked.

On the Verdun front the French continued their fruitless attacks in the region of Froide Terre.

Berlin, via London, July 19.—The recapture by German troops of the village of Longueval and Delville Wood was announced today by the War Office.

The official statement says: "Western front: In the Somme district, the village of Longueval and Delville Wood adjoining were recaptured last night from the British after fierce fighting by Madgeburg Twenty-sixth Infantry Regiment. In addition to heavy, sanguinary losses, the British lost eight officers and 280 men in prisoners and left considerable number of machine guns in our hands."

"Enemy attacks on our position north of Ovillers and against the southern edge of Pozieres were dispersed by our curtain of fire and had not the slightest success anywhere."

"South of the Somme, French local attacks failed to the north of Barleux and near Belloy. At other points they were checked at the outset."

"On the right bank of the Meuse the enemy continued his fruitless efforts against our lines on Froide Terre Ridge."

LINUS PENZEL HURTS FOOT

Ran Nail Through it While Repairing Bridge Near Jackson.

Linus Penzel, well-known Jackson man, is recovering this week from an injury in his foot he sustained when he stepped upon a rusty nail while aiding in repair work on a bridge.

Mr. Penzel was working on the bridge about a mile west of Jackson on the Jackson-Burfordville road when he stepped on a plank that had the nail driven through it. The nail penetrated his shoe and passed through the arch of his foot and at the time of the accident, Monday, it was pronounced dangerous.